

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

June 13, 2008

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF No.: 08od-085

OAHU

Set Aside to Department of Education for Addition to
Kalihiwaena School Lot, Kalihi, Honolulu, Oahu, Tax Map Key:
(1) 1-3-008:004 portion.

APPLICANT:

Department of Education

LEGAL REFERENCE:

Section 171-11, Hawaii Revised Statutes (HRS), as amended.

LOCATION:

Portion of lands situated at Kalihi, Honolulu, Oahu identified by
Tax Map Key: (1) 1-3-008:004 portion, as shown on the attached
map labeled Exhibit A.

AREA:

395 square feet, more or less.

ZONING:

State Land Use District: Urban
City & County of Honolulu LUO: R-3.5

TRUST LAND STATUS:

Acquired after Statehood i.e. non-ceded

DHHL 30% entitlement lands pursuant to the Hawaii State
Constitution: YES _____ NO X

CURRENT USE STATUS:

The subject State land is used as part of the Kalihiwaena
Elementary School campus.

PURPOSE:

Addition to Kalihiwaena School Lot purposes.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

This action before the Board is merely a transfer of management jurisdiction and does not constitute a use of State lands or funds, and therefore, this action is exempt from the provisions of Chapter 343, HRS, relating to environmental impact statements. Inasmuch as the Chapter 343 environmental requirements apply to Applicant's use of the lands, the Applicant shall be responsible for compliance with Chapter 343, HRS, as amended.

APPLICANT REQUIREMENTS:

None. (Note: Survey map - CSF 16,404 is available.)

REMARKS:

Prior to 1974, Governor's Executive Order No. 1854 and 1909 were issued setting aside State land for Kalihi Waena Elementary School.

The subject 395 square feet parcel was acquired by the State of Hawaii through condemnation in 1974 (Civil No. 37271 and filed as Land Office Deed 26187). The public purpose of the condemnation was the establishment, development and construction of a footpath and addition to Kalihi Waena Elementary School.

Currently, the subject parcel is a portion of access of the campus that many students use it on a daily basis. Recently, Department of Education (DOE) noticed that the subject parcel has never been set aside to DOE. By a memorandum dated April 16, 2008, DOE request the Board adding the subject parcel to the school lot.

Department of Hawaiian Home Lands, Department of Planning and Permitting, Department of Facility Maintenance, Department of Parks and Recreation, and Board of Water Supply have no objections/comments for the subject request.

Office of Hawaiian Affairs, Department of Health, State Historic Preservation, and Commission on Water Resources Management have not responded as of the suspense date.

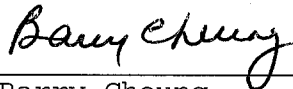
There are no other pertinent issues or concerns. Staff has no objections to the request.

RECOMMENDATION:

That the Board approve of and recommend to the Governor the issuance of an executive order setting aside the subject lands to Department of Education under the terms and conditions cited above, which are by this reference incorporated herein and subject further to the following:

- A. The standard terms and conditions of the most current executive order form, as may be amended from time to time;
- B. Disapproval by the Legislature by two-thirds vote of either the House of Representatives or the Senate or by a majority vote by both in any regular or special session next following the date of the setting aside;
- C. Review and approval by the Department of the Attorney General; and
- D. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

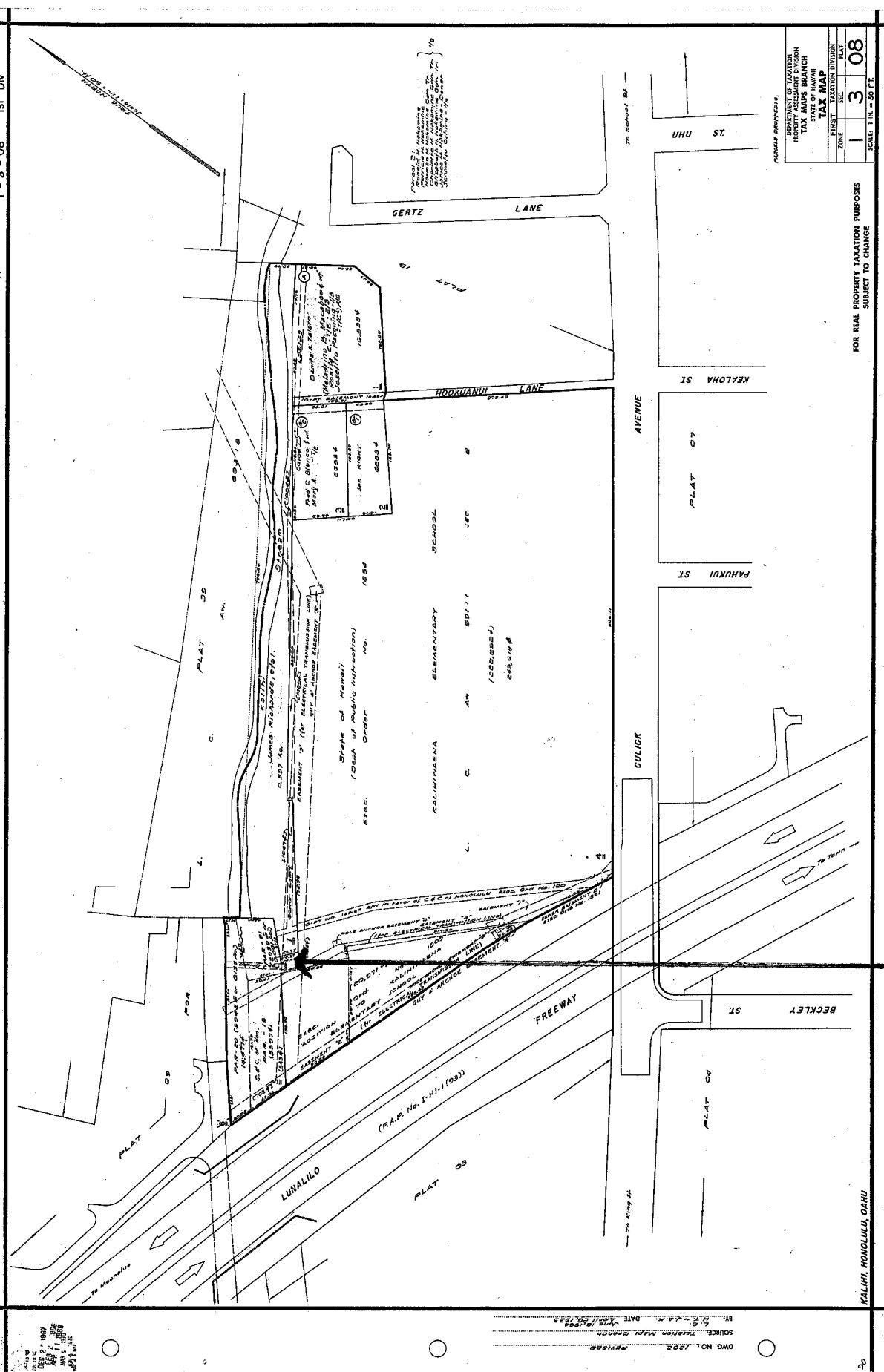


Barry Cheung
District Land Agent

APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson



Subject Location

EXHIBIT "A"